IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 35170 of 2007(J)

PETITIONER:

R.CHANDRASENAN,
BLOCK DEVELOPMENT OFFICER,
PAMPADY, KOTTAYAM DISTRICT.

RESIDING AT
ANUGRAHAM, MURUKANAGAR
PERUNNA P.O.
CHANGANACHERRY.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR
SRI.T.P.PRADEEP

RESPONDENTS:

---

1. THE COMMISSIONER OF RURAL DEVELOPMENT,
COMMISSIONERATE OF RURAL DEVELOPMENT,
LMS COMPOUND, THIRUVANANTHAPURAM.

2. THE SECRETARY,
LOCAL SELF GOVERNMENT(RURAL DEVELOPMENT),
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 35170 of 2007

Dated this the 28th November, 2007

J U D G M E N T

The petitioner who was placed under suspension on 8.2.2007 was reinstated by Exhibit-P2 order dated 30.8.2007. Pursuant to Exhibit-P2 order, petitioner was posted as Block Development Officer in Pamapady as per Exhibit-P3 order dated 6.9.2007. Petitioner was considered by the Departmental Promotion Committee for the post of Assistant Development Commissioner in Rural Development Department and was included in Exhibit-P4 select list. Juniors to the petitioner in Exhibit-P4 have been promoted. Even after the revocation of the suspension, the petitioner has not been promoted, apparently because orders have not been issued regarding the treatment of his period of suspension. Petitioner is due to retire on 31.12.2007.

2. After having heard the learned counsel for the petitioner and the learned Government Pleader and after having gone through the writ petition, I am of the view that the 1st respondent should expeditiously consider the petitioner's claim for promotion in view of the fact that he was included in the

select list and at any rate, his suspension was revoked with effect from 30.8.2007.

The writ petition is therefore, disposed of directing the 1st respondent to pass orders on Exhibit-P7, as early as possible, with regard to the manner in which the petitioner's period of suspension has to be treated. Consequent thereupon petitioner's claim for promotion shall be considered and appropriate orders may be passed to enable the petitioner to be promoted pursuant to Exhibit-P4 select list. The 2nd respondent shall pass orders at any rate, before 20.12.2007.

(V.GIRI, JUDGE)

ma

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007